

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BANK OF AMERICA, N.A.

Plaintiff,

-v-

PACIFIC INDEMNITY COMPANY and
QUAKER HILLS LLC,

Defendants.

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ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/26/2012

No. 12 Civ. 6036 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of two letters from the parties: (1) Defendant Pacific Indemnity Company's ("Pacific") pre-motion letter, dated September 18, 2012, requesting a pre-motion conference regarding its contemplated motion to dismiss or stay this action; and (2) Plaintiff's letter, dated September 21, 2012, responding to Pacific's pre-motion letter. Accordingly, IT IS HEREBY ORDERED that the parties shall appear for an initial status and pre-motion conference on November 2, 2012 at 2:45 p.m. in Courtroom 21C of the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York.

IT IS FURTHER ORDERED that, by October 24, 2012 at 4:00 p.m., the parties shall jointly submit a letter, not to exceed five (5) pages, providing the following information in separate paragraphs:

- (1) A brief statement of the nature of the action and the principal defenses thereto;
- (2) A brief explanation of why jurisdiction and venue lie in this Court;
- (3) A brief description of all outstanding motions and/or outstanding requests to file motions;

- (4) A brief description of any discovery that has already taken place, and that which will be necessary for the parties to engage in meaningful settlement negotiations;
- (5) A list of all prior settlement discussions, including the date, the parties involved, and the approximate duration of such discussions, if any;
- (6) The estimated length of trial; and
- (7) Any other information that you believe may assist this Court in resolving this action.

IT IS FURTHER ORDERED that, by October 24, 2012 at 4:00 p.m., the parties shall submit to the Court a proposed case management plan and scheduling order. A template for the order is available at http://nysd.uscourts.gov/cases/show.php?db=judge_info&id=347.

The status letter and the proposed case management plan should be emailed to my chambers at the following email address: sullivanysdchambers@nysd.uscourts.gov. Please consult my Individual Rules with respect to communications with chambers and related matters.

SO ORDERED.

Dated: September 25, 2012
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE